



January 30, 2009

SENATE BILL No. 196

DIGEST OF SB 196 (Updated January 27, 2009 12:23 pm - DI 71)

Citations Affected: IC 9-13; IC 9-19; IC 9-21.

Synopsis: Electronic devices while operating a motor vehicle. Provides that a person who uses a handheld device while operating a motor vehicle as a public passenger chauffeur commits a Class C infraction. Provides that a person who drives a motor vehicle that has a video monitor, portable computer, or other similar device capable of providing a visual display that can be seen by a person sitting in the driver's seat that is being operated while the person is driving commits a Class C infraction, with certain exceptions. (The introduced version of this bill was prepared by the interim study committee on learner's permits and graduated driver's licenses.)

Effective: July 1, 2009.

Wyss, Merritt, Breaux

January 7, 2009, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
January 29, 2009, amended, reported favorably — Do Pass.

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SB 196—LS 6149/DI 96+



January 30, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 196

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-72.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 72.3. "Handheld device", for purposes of IC 9-21-8,**
4 **has the meaning set forth in IC 9-21-8-0.5.**
- 5 SECTION 2. IC 9-19-17-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. **(a)** A person may
7 not:
8 (1) own a motor vehicle; or
9 (2) operate upon a highway a motor vehicle;
10 that has a television set installed so that the screen of the television set
11 can be seen by a person sitting in the driver's seat.
12 **(b) A person may not operate a motor vehicle upon a highway**
13 **that has a video monitor, portable computer, or other similar**
14 **device capable of providing a visual display that can be seen by a**
15 **person sitting in the driver's seat that is operating during the**
16 **operation of the motor vehicle.**
17 **(c) Subsection (b) does not apply to:**

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(1) portable cellular telephones or personal data assistants being used for verbal communication; and

(2) equipment that is displaying only:

(A) audio equipment information, functions, and controls;

(B) vehicle information or controls related to speed, fuel level, battery charge, or other vehicle safety or equipment information;

(C) navigation information or global positioning;

(D) maps; or

(E) visual information to:

(i) enhance or supplement the driver's view forward, behind, or to the sides of the motor vehicle for the purpose of maneuvering the vehicle; or

(ii) allow the driver to monitor vehicle occupants seated behind the driver.

(d) Subsection (b) does not apply to a public safety officer (as defined in IC 35-47-4.5-3).

SECTION 3. IC 9-21-8-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.5.** As used in this chapter, "handheld device" means an electronic or a digital telecommunications device that is held in the hand during use.

SECTION 4. IC 9-21-8-57 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 57.** A person may not use a handheld device while operating a motor vehicle as a public passenger chauffeur.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 196, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 15 and 16, begin a new paragraph and insert:

"(d) Subsection (b) does not apply to a public safety officer (as defined in IC 35-47-4.5-3)."

and when so amended that said bill do pass.

(Reference is to SB 196 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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